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Dear Ag Committee members:

Following are suggestions on amendments and notes to HB 574 (in response to opponents testimony and arranged in order of appearance in bill):

**Amend** to read "If 2 or more..." rather than 3 or more. Grade A dairies are also allowed warnings and product is not pulled until 3 or more excessive tests are noted.

**Note:** "Powers of department" section seems to give the DOL clear jurisdiction in the control of disease or condemnation of a sick animal and control of sanitation contrary to DOL claims.

**Amend** so that license and permit fees collected must be earmarked for use by the DOL rather than "deposited into the general fund."

**Amend** to include an assessment based on production as paid by Grade A producers but "not ever to exceed rate paid by Grade A producers." This would help with funding and fairness. Small dairies would pay at same rate per hundredweight of milk (according to records kept by them and submitted quarterly with their assessment payments) but would produce much less.

**Note:** During opposition testimony, a member of the MMPA, expressed concerns that Grade A producers would not be allowed to sell raw milk. According to Section 6 81-21-102 subsection 3 "A Grade A milk plant may sell raw milk... from a bulk tank..." is in bill so if consumers are more comfortable with buying milk that meets Grade A standards then they can!!

**Note:** As to small herd permittees being exempted from the Code of Federal Regulations I believe this is because this is the Code that prohibits raw milk and raw milk products from being sold. This bill sets state standards and procedures that allow for the sale of such products.

**Note:** All permittees products "must conform to standards of purity, quality, and wholesomeness..." according to this bill so liquid pudding example does not hold true. Please also note that these products must be picked up from the permittees farm so if someone is making liquid pudding and calling it drinkable yogurt those customers are going to be aware of how it is being made. They are going to be asking questions and watching the process.

**Additional Note:** The requirement of liability insurance seems to be saving people from themselves. No other state has ever had a case of persons suing the state for damages from drinking milk because the person had a permit from the state. I believe if this is researched it would show the state would not be liable in this case.

**Additional Note:** As far as the opponents claim that this bill would "encourage" these sales, I believe it would go further towards reassuring farmers the government is not going to send in a SWAT team to raid their place of business because a few people wish to buy their product in its fresh, unpasteurized state.